

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL
RECEIVED

JUN 25 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of)
)
Amendment of Part 90 of the)
Commission's Rules to Adopt)
Regulations for Automatic)
Vehicle Monitoring Systems)

PR Docket No. 93-61
RM-8013

COMMENTS OF
UNIDEN AMERICA CORPORATION

1. Uniden America Corporation (hereinafter "Uniden") respectfully submits its comments to the above captioned Notice of Proposed Rule Making ("NPRM").

INTRODUCTION

2. Along with its parent corporation and affiliate companies, Uniden manufactures and markets a broad line of communications equipment, such as cordless telephones and other Part 15 type devices. Uniden is currently in the final stages of development and will be introducing a new line of 900 MHz cordless telephones that will operate under the provisions of Part 15 of the Commission's rules. The NPRM, if allowed, would endanger the success of this type of product, as well as other Part 15 devices operating in the same frequency band. Additionally, Uniden believes the NPRM

sets a dangerous precedent by expanding the eligibility provisions to individuals not currently entitled by Part 90. Therefore, Uniden strongly opposes this NPRM as written.

3. The Commission, by virtue of the NPRM, is proposing to "promote the efficient operation and continuing growth of Automatic Vehicle Monitoring (AVM) systems" by changing the current status of the rule provision from interim to permanent. Additionally, some of their proposals are to "rename the AVM service as the Location and Monitoring Service (LMS); expand the current scope to "encompass location of all objects, animate and inanimate"; and "to allow licensees to provide service on a private carrier basis to individuals, the Federal Government, and Part 90 eligibles". In order to accomplish these goals, they are requesting comments on possible solutions of interference from Part 15 users and amateur operations by "restricting where such users could operate in the band, or placing stricter limitations on the operation of such users in this band".

BACKGROUND

4. On June 23, 1989, the Commission made effective new rules for Part 15 under General Docket 87-389. These new rules mandated provisions under which manufacturers could develop and design a broad range of devices, operating on a secondary basis, within the frequency band of 902 to 928 MHz. Since

that time, many manufacturers have introduced new products designed to operate within the requirements of these new rules. Moreover, many other companies have products that are almost ready for introduction. It is estimated that several millions of dollars have already been spent by manufacturers on this development, with the return on their investment yet to come. Just within the field of cordless telephones, almost every major manufacturer has either introduced, or has announced the introduction of models that will operate within this band.

5. Uniden believes that the Commission encouraged the development of products that utilize the 902 to 928 MHz band knowing that operation was subject to interference from the primary and other secondary users. These users included the Part 90 users operating under the interim provisions for operation of the AVM systems. In order to design equipment to operate effectively under these conditions, manufacturers cleverly devised circuitry that took into account this potential for interference and have achieved a high degree

Consumer Radio Section ("the Section"). Their comments to this proceeding are being submitted concurrently. Uniden fully supports their technical rationale which describes the estimated impact of interference if this NPRM were to be adopted. Therefore, we will not go into technical arguments except to state that it appears to be very clear, both in the text of the NPRM itself, as within the Section's comments, that interference from Part 15 devices will result in degraded performance to AVM systems. The same is true in that interference from AVM systems, if allowed to proliferate into the service envisioned in the NPRM, will surely affect the performance of cordless telephones, and other Part 15 devices operating in this spectrum arena.

7. As stated before, the Commission encouraged manufacturers to develop products in the 902 to 928 MHz band, now it appears that the Commission is reversing it's position well after vast amounts of research time and money have been spent by manufacturers in order to build products that have been designed to coexist with current devices.

8. Cordless telephones have been confused recently with other services, such as personal communications networks or

United States. Despite these figures, there are segments of our population that are denied satisfactory operation of cordless telephones due to over crowded spectrum, or in many cases, the electrical characteristics of their surrounding environment. Examples of this type of environment include high-rise offices, apartments, and condominiums; buildings with metal construction material for studding; and areas with a high degree in interference to the conventional 46 and 49 MHz cordless telephone frequencies. In many cases, the 902 to 928 MHz band offers a better grade of service for those who are affected by the above examples.

9. Cordless telephones, while typically viewed as a convenience, have become the telephone of need for certain people, such as the elderly, handicapped, or those people not able to move freely about their home. Uniden therefore believes that the Commission must take these factors into consideration when judging the merits of the NPRM, which if adopted, will potentially deny many people an affordable means of portable communications within their home or office. In some situations, cordless telephones may be the only link to emergency services for non-ambulatory people.

10. The NPRM proposes to expand the eligibility requirements to allow service to end users. Uniden believes that this could lead to dangerous consequences by setting a precedent that will undoubtedly modify the scope for Part 90 type services. Historically, Part 90 type devices have been viewed as communications equipment serving the public safety

and commercial interest. Clearly this expansion of eligibility will result in a consumer type of product which

rules, there must be some expectation of usefulness and a "level playing field" with regards to allowing other products in the same band. Services such as an expanded AVM or LMS system would conceivably devastate existing services. Therefore, Uniden believes the Commission must consider very carefully any proposals that will likely disrupt existing